

APPROPRIATE ROLE OF CONTRACTORS SUPPORTING THE GOVERNMENT WORKING GROUP*:

PRESENTATION OF FINDINGS 11/29/05

The Appropriate Role Working Group has held discussions with key personnel from MDA, GSA, and industry to get their views on the definitions/implementation of “*Inherently Governmental*” and “*Personal Services*.”

Based on the discussions above and associated research, the Working Group has developed the following Findings:

1. The demands on the Federal Government cannot be met by the existing Civil Service workforce alone; therefore, in order to execute their missions, Government agencies are increasingly relying on Contractors.
2. The amount and types of services performed by contractors has expanded. This expansion has created questions as to what work is truly “*Inherently Governmental*”.
3. The increasing occurrence of the “*blended workforce*” [Contractors and Civil Servants working together to carry out tasks] raises issues relating to “*Personal Services*”; the forces driving this occurrence [e.g. the downsizing of civil service without a decrease in services rendered] appear to be increasing, thereby making this a permanent change.
4. There are inconsistent applications across the Government of both what work is considered “*Inherently Governmental*” and what are considered “*Personal Services*.” (Some differences appear to be driven by differences in mission, some are clearly differing interpretations of the same rules in similar situations.)
5. Unless greater clarity is created regarding the concepts of *Inherently Governmental* and *Personal Services*, or the current definitions are applied more consistently and effectively, there will be continued confusion and problems (e.g., Inspector-General reports on violations of personal services restrictions).
6. For unusual situations (e.g. Katrina and Iraq Conflict), there may need to be special rules implemented.

* Formerly known as the *Inherently Governmental Working Group*